

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL A. LOVELL,

Defendant.

No. 12-cr-40108 JPG

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Michael A. Lovell's letter to the Court dated May 2, 2021 (Doc. 49), which the Court construes as a motion for sentence credit. The Court does not have jurisdiction to entertain this motion. Lovell is attacking the computation under 18 U.S.C. § 3585(b) of sentence credit for time served, a matter committed in the first instance to the Attorney General, through the Bureau of Prisons, not the sentencing court. *United States v. Wilson*, 503 U.S. 329, 334 (1992); *United States v. Walker*, 917 F.3d 989, 993-94 (7th Cir. 2019). If a prisoner disagrees with the Bureau of Prisons' computation of sentence credit, he may seek administrative review and then file a petition under 28 U.S.C. § 2241 in the district of his confinement. *Walker*, 917 F.3d at 994 (citing *Jake v. Herschberger*, 173 F.3d 1059, 1063 (7th Cir. 1999); *United States v. Koller*, 956 F.2d 1408, 1417 (7th Cir. 1992)). This Court does not have jurisdiction to give the defendant credit for the time in question. *See Walker*, 917 F.3d at 993-94 (citing *United States v. McGee*, 60 F.3d 1266, 1272 (7th Cir. 1995); *United States v. Ross*, 219 F.3d 592, 594 (7th Cir. 2000)). For this reason, the Court **DISMISSES** Lovell's motion (Doc. 49).

IT IS SO ORDERED.

DATED: May 14, 2021

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE